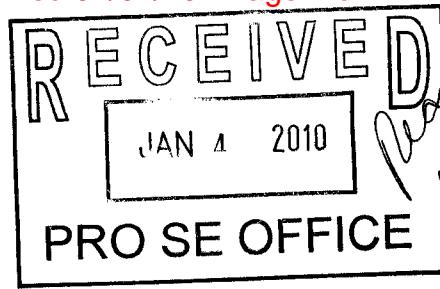


 ORIGINAL

Patrick F. D'Cunha
137-22 LABURNUM AVENUE
FLUSHING, NY 11355
718-661-2979

Honorable JUDGE Charles Wolle
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
225 Cadman Plaza East,
Brooklyn , NY 11201



Reference : 02-CV-4157 (CRW) (LB)
Patrick F. D'Cunha v. Genovese/ECKERD CORP.

EXTENSION OF TIME TO FILE APPEAL

Honorable Judge Wolle:

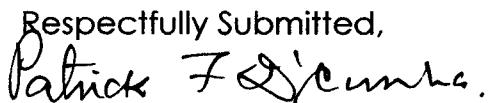
Plaintiff D'Cunha respectfully writes this letter to request the court for Extension of time to file his Notice of Appeal (which should be filed by January 9, 2010) as Plaintiff has filed his Rule 50 and Rule 59 Motions, which the court must rule on, which would be the final decision on Plaintiff's claim. While plaintiff awaits the courts rulings, plaintiff considers, filing Notice of Appeal is in vain, and in case the court's decision is in plaintiff's favor.

Plaintiff therefore requests extension of time to file his Notice of Appeal after this court has ruled on the Rule 50 and Rule 59 motions.

For the good cause shown, plaintiff humbly prays, his request be granted.

Dated:
01/04/2010

Respectfully Submitted,


Patrick F. D'Cunha.

Patrick F. D'Cunha, Plaintiff, Pro-Se
137-22 Laburnum Avenue,
Flushing, NY 11355
718- 661-2979
Email: dragondcunha@aol.com

CC: Mr. Bucci, via Email